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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/214,022 12/23/98 LASSON

R TP1192-US

EXAMINER

IM22/1210

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LEE, L

ART UNIT

PAPER NUMBER

1772

DATE MAILED:

12/10/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/214,022

Applicant(s)

Lasson

Examiner

Laura Lee

Group Art Unit

1772



☒ Responsive to communication(s) filed on Dec 23, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 14-30 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 14-30 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Specification*

✓ 1. This application does not contain an abstract of the disclosure as required by 37

CFR 1.72(b). An abstract on a separate sheet is required.

2. The disclosure is objected to because of the following informalities: Page 3, lines 25-34

✓ refer to claims which have been canceled.

Appropriate correction is required.

### *Claim Objections*

✓ 3. Claim 14 is objected to because of the following informalities: please correct the spelling of "regiosn". Appropriate correction is required.

✓ 4. Claims 22-24 objected to because of the following informalities: "effected" should be "affected". Appropriate correction is required.

5. Claim 25 is objected to because of the following informalities: "aylers" should be "layers". Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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7. Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 18 requires the limitation of a plurality of linear fold regions corresponding to a plurality of scored lines.

8. Claims 14-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is indefinite what applicant is claiming by "linear fold regions being treated differently than non-fold regions." It is unclear how either the linear fold or non-fold regions are being treated or how they are being treated differently.

9. Claims 14-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is indefinite how a plurality of linear fold regions define "a plurality crease lines"

10. Claims 14-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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It is unclear how the plurality of linear fold regions relate structurally to the plurality of non-fold regions.

11. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear how "the plurality of linear fold regions correspond to a plurality of scored lines."

What is the structural relationship?

12. Claims 19-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

✓ It is unclear what the applicant means by "treating at least one of the first and second plurality of linear fold regions differently than the first and second non-fold regions to thereby define a plurality of crease lines". It is unclear how the regions are treated differently and it is unclear how this treatment defines a plurality of crease lines.

13. Claims 22-24 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

✓ It is unclear whether applicant is claiming that the promotion agent is cured by the radiation, or whether there is some other effect upon the layers.

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***Claim Rejections - 35 USC § 102***

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 14-16, 18-21, 24-25, 27 and 29-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Skjelby, US Patent number 4,206,867.

Skjelby discloses a coated paper board container and blank with a plurality of fold and non-fold regions and crease lines where some of the fold regions are treated with an adhesive and the non-fold regions are treated with an adhesive and where some of the fold regions are scored. See figure 10 and column 7, lines 31-49 and claim 1. The two layers are taught to be sealable by heat, high frequency vibration or other means. See column 1, lines 54-61 and column 6, lines 46-54.

16. Claims 14, 16, 18, 21, 24-25, 27 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Zinn, US Patent number 2,558,918.

Zinn teaches a lined carton with crease lines forming fold and nonfold regions where nonfold regions are treated with adhesive and some of the fold regions are scored. See column 3, line 49 to column 4, line 11.

17. Claims 14 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagata, US Patent number 4,909,432.

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Nagata teaches a paper container for liquid with a first layer of paper and a second layer of polyethylene, aluminum and the like with several vertical and horizontal folding line grooves. See column 1, lines 8-14.

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 22, 23, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skjelby.

Skjelby teaches generally all that is claimed except where either an ultraviolet or an electron beam curing agent is used and affected by ultraviolet radiation or electron beam, respectively, after the two layers have been laid together or where nonfold regions are darkened relative to fold regions and affected by infrared radiation.

It would have been obvious to one of ordinary skill in the art to use ultraviolet radiation, infrared radiation or an electron beam radiation as alternative methods to heat in order to cure the adhesive between the two layers. One would have been motivated by a reasonable expectation of success since ultraviolet radiation, infrared radiation and electron beam radiation are each

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commonly used as alternative methods of curing adhesives. See Nagamoto et al, US Patent number 5,846,358 or Frey et al, US Patent number 5,763,049.

***Conclusion***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura Lee whose telephone number is (703) 308-0087. The examiner can normally be reached on Monday through Thursdays from 8:00 am to 5:30 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Ellis Robinson, can be reached on (703) 308-2364. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-5408.

The telephone number for the receptionist is (703) 308-0661.

  
Ellis Robinson  
Supervisory Patent Examiner  
Technology Center 1700

LLL

December 6, 1999